

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7677 of 2018

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1. Sunil Kumar Singh and Anr Son of Sri Bahadur Singh, Resident of Village-Kamalpur, Post-Hansa, P.S.-Raniganj, District Araria.
 2. Ganesh Kumar, Son of Sri Jagnath Sah, Resident of Village P.O.-Sarmastpur, Police Station-Sakara, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna-800014.
3. The Secretary, Bihar Staff Selection, Commission, Veterinary College, Patna-14.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Singh
For the Respondent/s : Mr.Binod Kr.Yadav -Sc18

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-04-2024 Counsel for the petitioner and counsel for the BSSC

and Counsel for the State present.

I.A. No. 01 of 2009

2. The present I.A. has been filed demanding the Stay of the operation of Annexure-A. Counsel for the petitioner himself submits that during the pendency of the writ petition, the prayer made in the interlocutory application has become infructuous, therefore, he is not pressing the said I.A. i.e. I.A. No. 01 of 2009.

3. In view of the above, the said I.A. i.e. I.A. No. 01 of 2009 stands dismissed.



4. Counsel for the petitioner submits that the present writ petition has been filed for directing the respondents to call for the interview to the successful candidates for the selection process which is going on for post of 'O.T. Assistant'.

5. Counsel submits that petitioner has participated in the exam held by B.S.S.C. Counsel submits that petitioners have submitted their Non Creamy Layer Certificate of the year 2014 which has not been considered by the Commission due to which petitioners became aggrieved.

6. Counsel for the Commission on the other hand submits that Counter affidavit has been filed and in the counter affidavit it has been categorically stated that they have appeared in the examination process and Non Creamy Layer Certificate at the time of counseling which was necessarily to be submitted has not been submitted. He further submits that in the interview letter, it has been categorically mentioned that at the time of counseling, the Non Creamy Layer Certificate has to be produced, otherwise, the person claiming reservation shall be treated in Unreserved Category. Counsel submits that from the applications filed by the petitioners, it transpires that they have appeared in the counseling process without Creamy Layer Certificate which is apparent from the application form as well



as their representation.

7. In the light of the submissions made, it transpires to this Court that in the counseling letter, it has been specifically quoted that candidate must come with the Creamy Layer Certificate but petitioner failed to appear with the said certificate. As such, there is no interference required in the said order.

8. Accordingly, this writ petition stands dismissed.

(Dr. Anshuman, J)

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